



**6560-50-P**

## **ENVIRONMENTAL PROTECTION AGENCY**

**[9956-82-OEI]**

### **Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of West Virginia**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's approval of the State of West Virginia's request to revise/modify certain of its EPA-authorized programs to allow electronic reporting.

**DATES:** EPA approves the State of West Virginia's authorized program revisions as of [Insert date of publication in the Federal Register].

**FOR FURTHER INFORMATION CONTACT:** Karen Seeh, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460, (202) 566-1175, [seeh.karen@epa.gov](mailto:seeh.karen@epa.gov).

**SUPPLEMENTARY INFORMATION:** On October 13, 2005, the final Cross-Media Electronic Reporting Rule (CROMERR) was published in the *Federal Register* (70 FR 59848) and codified as part 3 of title 40 of the CFR. CROMERR establishes electronic reporting as an acceptable regulatory alternative to paper reporting and establishes requirements to assure that electronic documents are as legally dependable as their paper counterparts. Subpart D of CROMERR requires that state, tribal or local government agencies that receive, or wish to begin receiving, electronic reports under their EPA-authorized programs must apply to EPA for a revision or modification of those programs and obtain EPA approval. Subpart D provides standards for such approvals based on consideration of the electronic document receiving

systems that the state, tribe, or local government will use to implement the electronic reporting. Additionally, §3.1000(b) through (e) of 40 CFR part 3, subpart D provides special procedures for program revisions and modifications to allow electronic reporting, to be used at the option of the state, tribe or local government in place of procedures available under existing program-specific authorization regulations. An application submitted under the subpart D procedures must show that the state, tribe or local government has sufficient legal authority to implement the electronic reporting components of the programs covered by the application and will use electronic document receiving systems that meet the applicable subpart D requirements.

On May 9, 2016, the West Virginia Department of Environmental Protection (WVDEP) submitted a revised application titled Environmental Submission System (ESS) for revisions/modifications to its EPA-approved programs under title 40 CFR to allow new electronic reporting. EPA reviewed WVDEP's request to revise/modify its EPA-authorized programs and, based on this review, EPA determined that the revised application met the standards for approval of authorized program revisions/modifications set out in 40 CFR part 3, subpart D. In accordance with 40 CFR 3.1000(d), this notice of EPA's decision to approve West Virginia's request to revise/modify its following EPA-authorized programs to allow electronic reporting under 40 CFR parts 50-52, 60-61, 63, 65, 122, 125, 144, 146, and 403-471 is being published in the *Federal Register*:

Part 52 - Approval and Promulgation of Implementation Plans;

Part 60 - Standards of Performance for New Stationary Sources;

Part 63 - National Emission Standards for Hazardous Air Pollutants for Source Categories;

Part 123 - EPA Administered Permit Programs: The National Pollutant Discharge Elimination System;

Part 145 - State Underground Injection Control Programs; and

Part 403 - General Pretreatment Regulations for Existing and New Sources of Pollution.

WVDEP was notified of EPA's determination to approve its application with respect to the authorized programs listed above.

Matthew Leopard

Director, Office of Information Management

[FR Doc. 2017-26541 Filed: 12/7/2017 8:45 am; Publication Date: 12/8/2017]